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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------------------|-------------|----------------------|---------------------|------------------|
| 09/461,336 | 12/15/1999 | DAZHI CHEN | 23632-002 | 3675 |
| 909 | 7590 | 08/22/2006 | EXAMINER | |
| PILLSBURY WINTHROP SHAW PITTMAN, LLP | | | SHEIKH, ASFAND M | |
| P.O. BOX 10500 | | | ART UNIT | |
| MCLEAN, VA 22102 | | | PAPER NUMBER | |
| | | | 3627 | |

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Requirement for Information Under 37 C.F.R. § 1.105

1. Applicant and assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

2. The information is required to identify auction sites that were capable, at the time the invention was made, to auction off coupons, vouchers, certificates. The Examiner upon conducting a search for prior art has discovered published documents titled "Early Birds Online" (copy attached) and "Monkey business on the Net..." (copy attached). The "Early Birds Online" document contains a statement from the inventor Dazhi Chen that states, "MonkeyRules began testing its service on another online auction site." The "Monkey business on the Net" document contains a statement about "tapping into the growing popularity of on-line auctions, such as E-bay.com." The Examiner requests information relating to the testing, performed by the inventor Dazhi Chen, MonkeyRules, or any individual affiliated with the claimed invention, on another online auction site. More specifically, the Examiner requests the dates, times, and sites that were

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used for testing. Further the Examiner requests the type items or services that were offered during this testing on another online auction site. The Examiner would also like any document(s) relating to the testing on another online auction site (e.g. brainstorm, test cases, notes, formal testing documentation, etc).

3. The fee and certification requirement of 37 C.F.R. § 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 C.F.R. § 1.105 that are included in the applicant's first complete communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 C.F.R. § 1.105 are subject to the fee and certification requirements of 37 C.F.R. § 1.97.

4. In responding to those requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or

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where such subject matter is not indicated, the subject matter found in applicant's disclosure.

5. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item or required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

6. This requirement is subject to the provisions of 37 C.F.R. § § 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asfand M. Sheikh whose telephone number is (571) 272-1466. The examiner can normally be reached on M-F 8a-4:30p.

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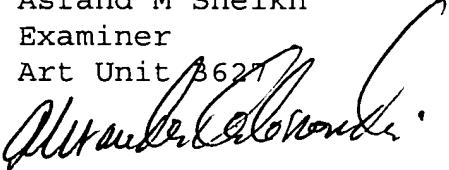
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander G. Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call (800) 786-9199 (IN USA OR CANADA) or (571) 272-1000.

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Asfand M Sheikh
Examiner
Art Unit 3627



ALEXANDER KALINOWSKI
SUPERVISORY PATENT EXAMINER

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Monkey business on the Net - MonkeyRules.com works with restaurants to develop customer database - Brief Article

[Nation's Restaurant News](#), [Dec 13, 1999](#)

SANTA CLARA, CALIF. -- Internet start-up MonkeyRules.com says it can help restaurateurs increase profits and build customer databases by tapping into the growing popularity of on-line auctions, such as Ebay.com.

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MonkeyRules sources said the service helps operators fill empty seats by auctioning off tables at profitable prices to registered restaurant guests who are willing to dine at off-peak times. Operators need only a fax machine to sign up for the service, which collects a fee equal to 6 percent of the incremental sales generated at auction.

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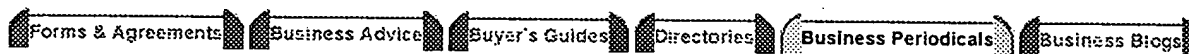
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Early birds online

- Source: [Restaurant Hospitality: Feb 2000 Issue](#)
- Author(s): Krummert, Bob
- Related Topics: [Auctions](#)
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Don't be fooled by the company's goofy name. If MonkeyRules.com's just-launched Internet service catches on with the point-and-click crowd, this Silicon Valley upstart could provide restaurants nationwide with a steady stream of customers during serving periods that would otherwise be slow.

ADVERTISEMENT

What Santa Clara, Calif.-based MonkeyRules provides is a restaurant-to-consumer auction service. Prospective patrons bid on dining certificates that carry specific date and time restrictions. The idea is to drive incremental business to participating restaurants only when the restaurants want it, with the lure to potential patrons being that they will pay less for their meal than if they ate at a more convenient time.

How much less do they pay? CEO and founder Dazhi Chen says that MonkeyRules began by testing its service on another online auction site. "It was in a part of the site that didn't get a lot of traffic," he says. "Yet each certificate received an average of 12 bids and closed between 70-90 percent of retail."

Thus the profitability to restaurants should be roughly comparable to that of a typical "early bird" menu. The concept is much the same, too. Discounted pricing or no, a business's fixed costs go down as a percentage of gross when more revenue comes in.

Currently, the site claims 1,500 registered users, all in the San Francisco Bay area. Both chain (Pasta Pomodoro, Good Earth, Fresh Choice) and independent restaurants (Ming's, Gaylord India, Santa Fe) participate there now.

IMAGE ILLUSTRATION 10

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BIG WINNER: MonkeyRules hopes to do for dining what allay did for garage sales. ...

Continued »

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